

## UTILITY PATENT APPLICATION TRANSMITTAL

(New Nonprovisional Applications Under 37 CFR § 1.53(b))

Atty. Docket 50277-1003

Client Docket OID-2000-207-01



05/10/01



## TO THE ASSISTANT COMMISSIONER FOR PATENTS:

Transmitted herewith is the patent application of ( ) application identifier or (X) first named inventor, Mahesh GIRKAR, entitled DISASTER RECOVERY WITH BOUNDED DATA LOSS, for a(n):

(X) Original Patent Application.

( ) Continuing Application (prior application not abandoned):

( ) Continuation ( ) Divisional ( ) Continuation-in-part (CIP)  
of prior application No: \_\_\_\_\_ Filed on: \_\_\_\_\_  
( ) A statement claiming priority under 35 USC § 120 has been added to the specification.

Enclosed are:

(X) Specification; 22 Total Pages. (X) Drawing(s); 5 Total Sheets.

(X) Oath or Declaration:

(X) A Newly Executed Declaration:

(X) Signed. ( ) Unsigned. ( ) Partially Signed.

( ) A Copy from a Prior Application for Continuation/Divisional (37 CFR § 1.63(d)).

( ) Incorporation by Reference. The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied, is considered as being part of the disclosure of the accompanying application and is hereby incorporated herein by reference.

( ) Signed Statement Deleting Inventor(s) Named in the Prior Application. (37 CFR § 163(d)(2)).

( ) Power of Attorney is (X) enclosed; ( ) is in the prior application to: \_\_\_\_\_.

(✓) Assignment is (X) enclosed; ( ) is in the prior application to: \_\_\_\_\_.

( ) Preliminary Amendment. ( ) Information Disclosure Statement and Form PTO-1449.

(X) Return Receipt Postcard. (X) Credit Card Payment of \$ 910.00 (Form PTO-2038).

( ) A Duplicate Copy of this Form for Processing Fee Against Deposit Account.

( ) A Certified Copy of Priority Documents (if foreign priority is claimed).

( ) Small Entity Status is Asserted.

( ) Prior to calculation of fee, please cancel the following claims: \_\_\_\_\_.

(X) Other: Request for Nonpublication

CLAIMS AS FILED				
FOR	NO. FILED	NO. EXTRA	RATE	FEE
Total Claims	16	0	\$18.00	\$ 0.00
Independent Claims	5	2	\$80.00	\$ 160.00
Multiple Dependent Claims (if applicable)				\$0.00
Assignment Recording Fee				\$40.00
Basic Filing Fee				\$710.00
			Total Filing Fee	\$ 910.00

( ) Charge \$ \_\_\_\_\_ to Deposit Account \_\_\_\_\_ pursuant to 37 CFR § 1.25. At any time during the pendency of this application, please charge any fees required or credit any overpayment to this Deposit Account.

I hereby certify that this is being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 CFR § 1.10 on the date indicated below and is addressed to:

Assistant Commissioner for Patents  
Box Patent Application  
Washington, D.C. 20231

By: \_\_\_\_\_

Typed Name: Stephen C. Carlson

Express Mail Label No.:

Date of Deposit:

Respectfully submitted,

By:

Stephen C. Carlson, Attorney of Record  
Reg. No.39929

Date:

5/10/01

Correspondence Address:

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**REQUEST AND CERTIFICATION  
UNDER  
35 U.S.C. 122(b)(2)(B)(i)**

First Named Inventor	Girkar, et al.
Title	DISASTER RECOVERY WITH BOUNDED DATA LOSS
Atty Docket Number	50277-1003

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

5/10/01

Date

Stephen C. Carlson

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

Burden Hour Statement: This collection of information is required by 37 CFR 1.213(a). The information is used by the public to request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that request). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 6 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:  
Mahesh GIRKAR et al.

Serial No.:  
Filed:  
Attorney Docket No.: 50277-1003  
Client Docket No.: OID-2000-207-01

Group Art Unit:  
Examiner:

For: DISASTER RECOVERY WITH BOUNDED DATA LOSS

Assistant Commissioner for Patents  
Washington, D.C. 20231

**DRAWING TRANSMITTAL LETTER**

Sir:

Enclosed herewith please find:

- sheets of redlined drawings, which indicate proposed changes to the drawings. Upon approval of these proposed changes, formal drawings will be submitted.
- sheets of corrected formal drawings, as required by the Notice of Patent Drawings Objection (PTO-948).
- 5 sheets of formal drawings. Please substitute these formal drawings for the informal drawings originally filed.

Examiner's approval of the entry of these drawings is respectfully requested. No new matter has been added.

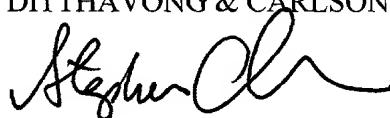
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231.

Date of Deposit:

Typed Name:

Signature: \_\_\_\_\_

Respectfully Submitted,  
DITTHAVONG & CARLSON, P.C.



Stephen C. Carlson  
Attorney/Agent for Applicant(s)  
Reg. No. 39929

Date: May 10, 2001  
Telephone No.: 703-425-8516